

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

ARBITUS BIOPHARMA CORPORATION)
and GENEVANT SCIENCES GmbH,)
Plaintiffs,)
v.) C.A. No. 22-252-MSG
MODERNA, INC. and MODERNATX, INC.,)
Defendants.)

**ORDER GRANTING PLAINTIFFS' UNOPPOSED MOTION TO TAKE DEPOSITIONS
OF THIRD-PARTY GOVERNMENT WITNESSES AFTER THE
CLOSE OF FACT DISCOVERY**

AND NOW, this 23rd day of August, 2024, the Court having considered Plaintiffs' Unopposed Motion to take Depositions of Third-Party Government Witnesses After the Close of Fact Discovery (D.I. 400), it is hereby **ORDERED** that the motion is **GRANTED**.

Plaintiffs may depose third-party Government witnesses from the Department of Health and Human Services, the Administration of Strategic Preparedness and Response, the Centers for Disease Control and Prevention, the Department of Army, and the Department of Justice, to the extent such testimony is authorized by these agencies or compelled by the Court, on or before **October 25, 2024.**

/s/ Mitchell S. Goldberg

MITCHELL S. GOLDBERG, J.